

**MINUTES OF THE REGULAR PLANNING BOARD MEETING
MONDAY, MARCH 23, 2009
COUNCIL CHAMBERS, CITY HALL
2263 SANTA CLARA AVENUE – 7:00 PM**

President Kohlstrand called the meeting to order at 7:03 p.m.

FLAG SALUTE: Board Member Lynch

ROLL CALL:
PRESENT: President Kohlstrand, Vice-President Ezzy Ashcraft
Board members, Autorino, Cook, and Lynch were
present upon roll call.

ABSENT: Board members Cunningham, and McNamara.

STAFF PRESENT: Andrew Thomas, Planning Services
Manager/Secretary to the Planning Board; Jon Biggs,
Planning Services Manager, Doug Vu Planner, Nancy
McPeak, Executive Assistant/Recording Secretary

MINUTES:
Minutes from the meeting of February 9, 2009.
**Motion to Approve as Amended: APPROVED as
Amended 4-0-1. (Lynch abstained)**

Minutes from the meeting of February 23, 2009
**Motion to Approve as Amended: APPROVED as
Amended 4-0-1. (Autorino abstained)**

5. AGENDA CHANGES AND DISCUSSION:
Motion to move item 9-C to first Agenda Item.
Approved 5-0.

6. STAFF COMMUNICATIONS:

Written Report

6-A. Future Agendas- Staff presented the report.

Board member Lynch requested that a study session be scheduled on a future agenda regarding Senate Bill 375.

Board member Cook requested that a discussion item be scheduled on a future agenda regarding the Planning Board's site modification recommendations when a project is changed to include something such as the demolition of a building.

6-B Zoning Administrator Report-The Zoning Administrator meeting of March 17, 2009 was canceled.

7. ORAL COMMUNICATIONS:

- * Anyone may address the Board on a topic not on the agenda under this item by submitting a speaker's information slip, subject to the 5-minute time limit.

NONE

8. CONSENT CALENDAR:

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Board or a member of the public by submitting a speaker slip for that item.

9. REGULAR AGENDA ITEMS:

9-C Major Design Review – PLN09-0004 – 433 Buena Vista Avenue – Axis Architecture for KW Alameda LLC. Design Review approval for a 3,800 square foot community center, maintenance building, and minor landscaping modifications to amend a previously approved Design Review for a 6,000 square-foot community center, four detached garages, carports, and other exterior and site modifications to existing apartment buildings (DR04-0113). (DV)

Staff presented a Power Point presentation outlining the project.

Michael Gold, a representative for Kennedy Wilson, the applicant, was introduced and made a brief statement thanking the public for their support of the project.

Shawn Alexander, the architect on the project was introduced and gave a presentation showing the buildings prior to the improvements made by Kennedy Wilson and the improvements made since acquiring the property. Mr. Alexander also displayed diagrams of the proposed changes.

The public hearing was opened.

Thomas Cooke, Bonanza Apartments, spoke in favor of the project. Mr. Cooke is the site Manager of the Bonanza Apartments located directly across from the street from the project. Mr. Cooke stated that prior to Kennedy Wilson's renovation of the site there were daily problems at the property, since they have taken over he has had no problems. He mentioned that the parking is still an issue in the area.

Nicole Strasser, resident, spoke in favor of the project. She stated that she is very pleased with the decision to remove the garages from the plan because of the parking problems on the property. She complemented Summerhouse for the job they are doing on the property.

Lt. Sean Lynch, Alameda Police Department, spoke in favor of the project. Lt. Lynch stated that he is the evening watch commander for the area and the property has changed dramatically since the renovation of the site and buildings. The area was previously a high crime, high police volume property and was a financial drain on the City of Alameda. Lt. Lynch stated that the transformation at Summerhouse is an outstanding example of how you can change a negative into a positive.

Kathy Moehring, Executive Director, West Alameda Business Association (WABA), spoke in favor of the project. Ms. Moehring stated that Summerhouse is a wonderful community partner and that the developer has created an environment that is safe, beautiful and a welcome addition to West Alameda.

The public hearing was closed for Board discussion.

Vice President Ezzy Ashcraft stated that she conducted a site visit and was very impressed with the Complex. She is concerned with the lack of parking and was told that the turn over rate is high because of it. She suggested that WABA possibly look at introducing a Zip Car or City Car Share program at the site. She is also concerned with the reduction in the community center space and would like to hear that issue addressed.

The applicant responded that although the buildings are going to be smaller there is not going to be a reduction in amenities. He stated that the temporary leasing office, consisting of approximately 1,000 square feet will eventually be opened up for use as a community center for the residents.

President Kohlstrand mentioned that during a site visit she noticed a fitness center located in one of the units and questioned if it was permanent.

The applicant responded that a 1,000 square foot fitness center is planned in the new community center and the fitness center in the unit was not permanent.

Board member Cook stated that she had originally voted against the project. She is pleased the garages and carports have been removed from the plans. Although she would like to see the trellises kept and is concerned that there are not enough trees in the parking lot and throughout the complex.

Staff responded that once the plan for the parking lot is completed it will adhere to the City of Alameda's current standard of one tree per four parking spaces. The applicant will be planting approximately 148 trees in the parking lot for a total of 172 trees in and around the parking area.

Board member Cook stated that the current plans do not show as many trees as the old plans. She feels that more trees are necessary to break up the massiveness of the buildings. She also mentioned that the old plans show more trees on the northwest area of the site.

The applicant responded that some of the trees within the complex near the buildings have been taken out. The thought was that once those trees mature they would cause darkness in the units so more trees were placed around the perimeter on the current plans to contribute to a park like setting and allow natural light for the units.

Board member Cook stated that she would like more trees in the parking lot area so that the residents are not overlooking just the vehicles but have some greenery.

The applicant stated that they could place more trees along the perimeter of the buildings near the parking lot. Although another concern with placing more trees closer to the buildings along the parking lot is lighting as the lights for the parking lot are on the buildings and more trees would prohibit light from going deeper into the parking lot.

Board member Cook requested that staff take another look at the tree planting plans to ensure that the park like setting previously approved by the Planning Board is adhered to. She also asked about the trellises that were originally planned in the parking lot.

The applicant responded that the trellises were reconsidered due to the heaviness they brought to the area and the concern that they could conceal some undesirable activities. The developer stated that the plan is to have vines covering the utility buildings where the trellises were slated to go.

Board member Cook is also concerned with the community room and believes that it should be next to the pool and have a kitchen for use by the residents. She feels that the community room should be the heart of the project. In addition, she feels that the site is isolated from the community and would like to see a place for neighboring residents to have access to and across the site, as was included in the West Alameda Neighborhood Improvement Plan.

The applicant stated that there are pedestrian gates around the property that residents can use via a key, but non residents do not have this access.

Board member Autorino asked if there had been any negative comments by residents regarding the removal of the garages.

The applicants responded that there were none to their knowledge.

Vice President Ezzy Ashcraft agreed that the community room needs to be improved. She feels that the tree plan is sufficient. She feels that allowing access to the neighboring residents would destroy the sense of security at the site.

Board member Lynch stated that he believes that the addition of a kitchen could be a management issue. He is comfortable with the barbeque area as filling that need.

Vice President Ezzy Ashcraft disagreed stating that a kitchen would be a nice amenity.

President Kohlstrand stated that she also is happy to see the garages removed from the plans and opening the area up for additional parking spaces. She feels that as long as the tree plan adheres to the City of Alameda's current standards it is sufficient. She stated that she likes the new building design and feels it fits better on the site. She agrees that allowing access to the neighboring residents would make for easier access to Ralph Appezzato Parkway but noticed that the residents in the audience disagree and feel that it would destroy the sense of security. She asked when the applicant plans on finishing the landscaping.

The applicant responded that it is contingent on the out come of tonight's meeting.

President Kohlstrand asked about the status of the West Alameda Neighborhood Improvement Plan and how it relates to the site.

Staff responded that the plan was adopted in August 2005 and recognized the problems with public access through the apartment complex. The access improvement that the plan identified was from the south side of the property towards the College of Alameda and Appezzato Parkway. The City would need to obtain the land through an easement or property rights along the east perimeter between the Summerhouse Complex and the single-family homes next door to construct a walkway. Such improvements are contingent on whether or not the City could obtain the property.

Bob Hart, President of Kennedy-Wilson suggested that the community room be placed in the proposed fitness center space near the pool and the fitness center be moved into the temporary leasing space.

Vice President Ezzy Ashcraft stated that she would be happy with that compromise.

Board member Cook moved/Board member Lynch seconded the motion to amend the resolution to state that the applicant will provide approximately 3,200 square feet of community space and fitness area and a 1,200 square foot community room will be near the pool in the space originally slated for the fitness room. The motion carried 5-0.

9-A. Density Bonus Ordinance – Citywide – City of Alameda. Recommendation to the City Council on the proposed Density Bonus Ordinance and proposed Negative Declaration. (JB)

Staff addressed previously asked questions and concerns regarding the Density Bonus Ordinance. One of the questions was whether the City can place a cap on incentives or concessions. The City can include caps in the Ordinance but by doing so the applicant can still request an exception to those caps. Another item of clarification was the mobile home park section which has been amended to state Mobile Home Parks for Senior Housing. Section 30-17.10b was changed to read that historic properties will be identified by the National Register of Historic Places and the references to Measure A have been changed to read Article 26 of the Alameda City Charter.

Staff gave a power point presentation outlining the Density Bonus Ordinance and Negative Declaration.

Vice President Ezzy Ashcraft commended staff for providing a thorough report. She questioned if the rights of tenants are preserved in a condominium conversion under the Density Bonus Ordinance.

Staff responded that the tenants rights are preserved.

Board member Lynch asked what portion the redevelopment area of the City covers.

Staff responded that the redevelopment area consists of all of the Alameda Point/Alameda Landing area and from that area all the way across the Northern Waterfront to Bridgeside Shopping Center at Fruitvale Avenue. All of Webster Street and Park Street are also on the map.

Board member Cook asked if the City can negotiate with the developer regarding a concession that is on the list.

Staff responded that the City can negotiate on concessions but the City will need to prove that the concession is not necessary to make the project feasible. Staff also stated that it is important to craft a list that the City does not want to grant exceptions to.

Board member Cook stated that she believes the shorter the list the easier it will be to negotiate the concessions.

Staff mentioned that the developer can request a concession that is necessary to make the project feasible and the City would need to prove that the project can work without it.

The public hearing was opened.

Christopher Buckley of the Alameda Architectural Preservation Society (AAPS) referenced a letter sent to the Planning Board which has since been adopted by APPS as a recommendation. The letter stated that the society is concerned with the way the Ordinance is crafted that it may allow too many incentives or concessions that could adversely affect the character of Alameda's neighborhoods. Also stated was that the Ordinance should include caps on the amount of increase and decrease on items like a

reduction in setbacks or increase in height. Also suggested was that the concessions be limited to only those mandated by the State of California. In regards to the parking requirements it is suggested that the City require established parking and if the applicant wants to ask for a parking concession the burden of proof will be on them to demonstrate it is necessary. A clarification was made to Page 9, Section 30-17.10b which stated the "City's List of Officially Designated Architecturally and Historic Significant Buildings", should read "properties designated a City of Alameda Historical Monument or included in the City of Alameda's Historical Building Study List".

Diane Licatenstein of H.O.M.E.S. stated that they feel there is a need for diagrams showing the designs resulting from changing height and setback limits and design. H.O.M.E.S favors anything that allows a mixture of housing types in Alameda. She stated that Alameda has a satisfactory inclusionary housing program although believes that the 25% affordable housing requirement should be Citywide and not just in the redevelopment area. She also stated that the proposal could potentially damage livability by changing the allowed setbacks and specifically mandating usable public space. She urges the City to evaluate the design impacts the Density Bonus Ordinance might pose and review what design guidelines would need to be adopted based on good planning principles to make the ordinance an acceptable regulation for the City of Alameda.

The public hearing was closed for Board discussion.

Board member Lynch stated for clarification that the Density Bonus Ordinance does not waive the City of Alameda design guidelines. He also stated that the ordinance needs to have a range of incentives and the option to say no to certain ones.

President Kohlstrand requested clarification on the parking requirements.

Staff responded that if the developer request that the state's parking requirements are used it will not count as a concession and they can request another one. The developer can request that the parking requirements be reduced even further as a concession.

Board member Cook asked for clarification on the list of incentives.

Staff responded that the list in the State ordinance is to serve as examples of the types of incentives that may be granted. The developer can ask for just about anything aside from monetary compensation.

Board member Cook stated that instead of the increased maximum lot coverage she would rather have a waiver to Measure A and have the buildings connected to allow for more open space around the structures. She also questioned allowing the live/work units within multi-family residential districts stating that a large portion of the main island of Alameda is zoned multi-family and this could bring more industrial uses into those neighborhoods.

Vice President Ezzy Ashcraft stated that the projects will need to come to the Planning Board prior to approval at which time these concerns can be addressed.

Staff stated that the Planning Board or City Council will still have discretion to deny a concession or incentive on a project if they feel is not necessary.

Board member Autorino voiced his concern over reducing the affordable income requirement from 25% to 15% in the redevelopment areas stating that it will reduce the amount of affordable housing yet increase the density.

Staff stated that the redevelopment areas are going to be denser by nature.

President Kohlstrand stated that if you leave the requirement at 25% then you are only increasing the cost of the market rate housing to cover the increased amount of affordable housing.

Vice President Ezzy Ashcraft agrees and is concerned that the 25% requirement could scare developers away and make many projects unfeasible.

Board member Cook feels that it is a good idea to put caps on the concessions. She also asked about the scenario when two lots are purchased next to each other.

Staff responded that the property owners could combine the lots to make a larger site to allow a multi-family project and as long as all of the other requirements are met they can request the project be considered for the density bonus.

President Kohlstrand stated that she does not feel that it is beneficial to put caps on the concessions because it could limit the flexibility the City has to negotiate.

Board member Cook suggested staff look at what other Cities are doing.

Staff stated that you can place caps on the concessions but when it comes down to it if the developer really needs the concession they will argue for it whether it is capped or not, unless there is something specific in the State law allowing for a cap.

Board member Lynch stated that he wants to give the Planning staff as much flexibility as possible to negotiate the best project.

Board member Cook is concerned that there is not more opposition to reducing the inclusionary affordable housing requirement from 25% to 15%.

Board member Lynch stated that many cities are waiving the inclusionary requirements due to the large amount of affordable housing units available in these economic times.

Board member Autorino moved/Vice President Ezzy Ashcraft seconded the motion to approve the staff recommended Density Bonus Ordinance including

the amendment for live/work units with the exception of the reduction of the 25% requirement for affordable housing in the redevelopment areas. The motion carried 5-0.

Vice President Ezzy Ashcraft moved/Board member Lynch seconded the staff recommendation that the inclusionary housing requirement be made 15% throughout the City of Alameda and brought forward to City Council after being considered by the Economic Development Commission and the Housing Commission for comment. The motion carried 4-1 (Autorino no).

Board member Cook recommended/Board member Lynch seconded the adoption of the Negative Declaration. The motion carried 5-0.

9-B. Stargell Avenue Extension Landscape Master Plan – Applicant – City of Alameda. The City of Alameda requests approval of a landscape master plan for site improvements within public rights-of-way along the proposed Wilver “Willie” Stargell Avenue extension to Webster Street. (DV)

Staff gave a report describing the project.

Staff introduced Todd Young of Gates and Associates, the landscape architect on the project. Mr. Young gave a power point presentation describing the project.

President Kohlstrand asked what sort of work is currently being done at the street site.

Mr. Young introduced Dina Tasini the project manager. Ms. Tasini stated that they are currently trenching for utilities at the site.

President Kohlstrand questioned the row of trees on the east side of Webster Street, stating they are not on the plans the Planning Board received.

Alex Channing of Gates and Associates responded that the only plantings in that area will be shrubs.

Board member Cook questioned if Webster Street is going over or under the ramp for Constitution Way.

Mr. Young responded that Webster Street will continue to go under the ramp.

The public hearing was opened.

Christopher Buckley of the West Alameda Business Association (WABA) referred to a letter written by WABA to the Planning Board. Mr. Buckley stated that WABA is very excited for the project to go through and commended Gates & Associates for the thoughtfulness and creativity displayed in their design submittals. WABA has three specific recommendations. The first recommendation is to have the Crepe Myrtle trees

shown on the west side of Webster Street north of Stargell Avenue along the bioswale be replaced with Flowering Pear trees.

Mr. Young stated that the change was made because the Flowering Pear trees do not work well with the bioswales because they cannot tolerate having wet feet and would not survive very long with all of the water. The Crepe Myrtle trees can tolerate the water.

Mr. Buckley stated that the concern with the Crepe Myrtle trees is that they will encroach into the roadway.

Mr. Young stated that the trees meet the requirements of Cal Trans.

Mr. Buckley also stated that section A through Webster Street shows Washington Hawthorn in the median and that appears to be a mistake and it should be Crepe Myrtle. WABA feels that irrigation, electrical and other infrastructure should be designed to allow future installation of additional streetscape elements as follow-up projects when funding is available such as an entry arch or other gateway structure on Webster Street south of Stargell, replacement of cobrahead light fixtures with more decorative fixtures and continuing the addition of "acorn" street lights from the tube portals all the way down to Central Avenue. Mr. Buckley asked that the Planning Board approve the project with the addition of the aforementioned items.

Mr. Young stated that Mr. Buckley was correct and the Crepe Myrtle should be in the median in Section A.

Dina Tasini, the Project Manager, stated that she has met with WABA to go over how to accommodate their concerns for the future improvements without any cost. Ms. Tasini reported that the conduit was sized so that it could handle additional electrical for lighting at a later date. Also there is a scope of work to look into the entryway and what could be put there. She also mentioned that City Council has approved the construction of the street portion of the project.

President Kohlstrand questioned the idea of an archway and wondered if any item placed in the area would need to be approved by the Planning Board.

Ms. Tasini stated that it is not a specific that they are looking at, but the parameters of the area and soil structure. Anything placed in the area will first need to be approved by the Planning Board.

Board Member Cook asked if there were traffic signals at the cross walks to Neptune Park.

Mr. Young stated that there are traffic signals at the cross walk to Neptune Park.

President Kohlstrand asked if there was a sidewalk on the east side of Webster Street.

Ms. Tasini stated that there will be a side walk going to the north towards Ralph Appezzato Parkway but not south towards the Posey Tube.

President Kohlstrand questioned why there isn't a cross walk across Stargell near the intersection with Mariner Square Loop.

Ms. Tasini stated that it was probably a Cal Trans issue but that she would look in to it.

President Kohlstrand suggested that the lawn area at the intersection of Stargell and Mariner Square Loop should be planted with a more environmental sustainable vegetation. Also she wants to make sure that there is a full compliment of sidewalks in the area.

Mr. Young stated that they can look at a different ground covering in that area.

President Kohlstrand asked if the land owned by Catellus needs to follow the same landscape guidelines when it is developed.

Staff responded that when that parcel gets developed they will need to adhere to this Master Plan.

Board member Cook moved/Board member Lynch seconded the motion to approve the Stargell Avenue Extension Landscape Master Plan with the provision that the lawn area be planted with a more environmentally sustainable vegetation. The motion carried 5-0.

- 9-D. Bay Friendly Landscaping Ordinance – Applicant – City of Alameda.** The Planning Board will consider a proposed Alameda Municipal Code amendment related to creation of a Civic Bay Friendly Landscaping Ordinance requiring sustainable landscaping practices for City and public-private partnership projects or renovations that equal or exceed \$100,000 in construction costs. (DV)
Motion to continue this item to the meeting of April 13, 2009.
Approved 5-0.

10. WRITTEN COMMUNICATIONS:

None.

11. BOARD COMMUNICATIONS:

Board members may ask a question for clarification, make a brief announcement or make a brief report on his or her activities. In addition, the Board may provide a referral to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning a City matter or, through the chair, direct staff to place a request to agendize a matter of business on a future agenda.

None.

12. ADJOURNMENT:

10:55 p.m.

Respectfully submitted,

Andrew Thomas, Secretary
City Planning Board

This meeting was audio and video taped.